

**REMARKS**

Claims 23-97 and 104-108 are pending in the application.

Claims 23-97 and 104-108 have been rejected.

Claims 23, 37, 42, 44, 45, 60, 65, 67, 68, 83, 88, 90, 91, 96, and 97 have been amended. No new matter has been added. Support for these claim amendments can be found, at least, in p. 7, l. 24–p. 8, l. 23 of the originally-filed Application.

Applicants would also like to thank Examiner Lee for the Interview conducted on November 17, 2009.

**Rejection of Claims under 35 U.S.C. § 103(a)**

Claims 23-29, 36-51, 59-74, 82-97, 104-106 and 108 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,657,990 issued to Dilip, et al. (“Dilip”) in view of U.S. Patent No. 6,594,675 issued to Schneider (“Schneider”). Applicants respectfully traverse this rejection.

Claims 30-35, 52-58 and 75-81 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dilip, et al. and Schneider in view of U.S. Patent No. 6,332,154 issued to Beck (“Beck”). Applicants respectfully traverse this rejection.

Claim 107 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Dilip, et al. and Schneider in view of U.S. Patent No. 6,778,661 issued to Yumoto, et al. (“Yumoto”)

**Claims 23, 37, 42, and 44**

Claim 23, as amended, is representative of independent Claims 37, 42, and 44, and recites as follows:

23. An apparatus comprising:  
a processor; and  
a communication server, executed by said processor, which is configured to communicate with a communication channel by virtue of being configured to receive an incoming communication from the communication channel via a channel driver communicatively coupled to the communication channel, wherein  
the channel driver is configured to communicate with the communication channel by virtue of being configured according to a media type of the communication channel, and  
the media type of the communication channel is one of a plurality of media types, and  
cause an outgoing communication to be sent to the communication channel via the channel driver, wherein  
the communication server is further configured to communicate with the communication channel, without information regarding the media type of the communication channel, by virtue of being configured to communicate with the communication channel via the channel driver,  
the communication server and channel driver are configured to communicate with one another using a communication application program interface, and  
the use of the communication application program interface by the communication server and the channel driver allows the communication server to communicate with the communication channel without information regarding the media type of the communication channel.

The Office Action relies on Dilip and Schneider, in combination, to disclose the limitations of Claim 23. *See* Office Action, pp. 2-4. Applicants respectfully submit that the cited sections of Dilip and Schneider, alone or in combination, fail to show, teach, or even suggest the limitations of Claim 23, as amended.

First, the cited sections of Dilip and Schneider, whether alone or in combination, fail to show, teach, or even suggest that a communication server is configured to communicate with a communication channel, purportedly doing so without information regarding the media type of the communication channel. The cited sections of Dilip relied upon by the Office Action allegedly provide that communication between a central control module and an email server, fax server, video server, or transaction processing system occurs via respective transaction managers. *See* Office Action, p. 3. However, the cited sections of Dilip fail to show, teach, or even suggest, among other limitations, that a communication server communicates with a communication channel, without information regarding the media type of the communication channel.

The cited sections of Dilip provide that a transaction management interface of the central control module is coupled to the various transaction managers, and manages the interactions and exchange of information between the central control module and the various transaction managers. *See* Dilip, 9:5-11. The Office Action asserts that Dilip's use of transaction managers (being equated to the claimed channel drivers) enable independent communication by the central control module (being equated to the claimed communication server). *See* Office Action, p. 3. Even if the central control module and the transaction managers could somehow be successfully equated to the claimed communication server and the claimed channel driver, respectively (a point Applicants do not concede), the cited sections of Dilip would still fail to teach or suggest that Dilip's central control module communicates with a server of a particular media type, without information regarding the media type of such a server, as in the claimed invention. Instead, Dilip's central control module (which includes the transaction management

interface) does have information regarding the media type of the servers to which the central control module is coupled to. An example scenario in Dilip provides that “e-mail transaction manager 114 may notify transaction management interface 100 that e-mail server 90 has received an e-mail that requires processing,” “transaction management interface 100 then communicates the information regarding the received e-mail to other services or managers to determine how the e-mail should be handled,” and “the manner in which the e-mail is to be handled is then communicated to e-mail transaction manager 114, which then instructs e-mail server 90 regarding the processing of the email.” Dilip, 9:29-40. Given that Dilip’s central control module is necessarily aware that e-mail server 90 is of an e-mail type and is necessarily aware that e-mail information from the e-mail server is available and in need of being routed and handled accordingly, Dilip’s central control module cannot communicate with Dilip’s servers without information regarding the media type of such a server. Hence, Dilip’s central control module, and even Dilip’s transaction management interface, cannot be equated to the claimed communication server, which communicates with a communication channel without information regarding the media type of the communication channel.

In addition, Dilip’s server core component of the central control module also cannot be relied upon to teach or suggest the claimed communication server. This is because Dilip’s server core component is not configured to receive an incoming communication from a communication channel via a channel driver, configured to cause an outgoing communication to be sent to the communication channel, and configured to communicate with a channel driver via a communication application program interface, as claimed. In fact, the cited sections of Dilip simply provide that the server core

receives new requests from other devices and provides the requests to either a data logging and reporting module, an active script module, or the central control module for processing. *See* Dilip, 8:21-43. Unfortunately, the acts of receiving requests and forwarding such requests to another module do not teach or suggest all the claimed characteristics of a communication server. Therefore, Dilip's server core cannot be relied upon to teach or suggest the claimed communication server. Hence, the cited sections of Dilip fail to show, teach, or even suggest, among other limitations, that a communication server is configured to communicate with a communication channel, without information regarding the media type of the communication channel.

Furthermore, the cited sections of Dilip fail to show, teach, or even suggest that the use of a communication application program interface by a communication server and a channel driver allows a communication server to communicate with the communication channel without information regarding the media type of the communication channel. As discussed above, the cited sections of Dilip fail to teach or suggest that a communication server is configured to communicate with a communication channel without information regarding the media type of the communication channel. As such, the cited sections of Dilip cannot be relied upon to provide that such communication by a communication server is allowed by making use of a communication application program interface.

In fact, the cited sections of Dilip fail to teach or suggest anything comparable to a communication application program interface. The Office Action attempts to provide such a missing disclosure by relying upon Schneider. *See* Office Action, p. 4. The cited sections of Schneider relied upon by the Office Action allegedly provide that an application program interface (API) is used to allow communications between an

application program or computer terminal and an IMS transaction manager. *Id.* However, even if Schneider's API could somehow be successfully equated to the claimed communication application program interface (a point Applicants do not concede), the cited sections of Schneider fail show, teach, or even suggest, that such a communication application program interface is what allows a communication server to communicate with a communication channel without information regarding the media type of such a communication channel. At best, the cited sections of Schneider provide a means by which two components, an application program and an IMS transaction manager, can communicate via an API interface. But the simple act of communicating via an API does not teach or suggest that such communicating via an API is what allows a communication server to communicate with a communication channel without information regarding the media type of a communication channel. Hence, the cited sections of Dilip and Schneider, whether alone or in combination, fail to show, teach, or even suggest that the use of a communication application program interface by a communication server and a channel driver allows a communication server to communicate with the communication channel without information regarding the media type of the communication channel.

Moreover, the cited sections of Dilip and Schneider fail to show, teach, or even suggest a communication server that sends an outgoing communication to a client by virtue of causing an outgoing message to be sent to a communication channel via a channel driver. A client accesses a communication channel of a particular media type, via a user interface, for example. The communication server is then able to communicate with such a client without information regarding the media type of the communication

channel to which the client user interface is coupled, given that the communication server is coupled to a respective channel driver and communication channel of that media type. To communicate with the client, the communication server need only know to communicate with the corresponding channel driver. By contrast, the cited sections of Dilip and Schneider fail to teach or suggest such functionality.

For at least these reasons, Applicants respectfully submit that Dilip and Schneider, whether alone or in combination, fail to show, teach, or even suggest all the limitations of independent Claims 23, 37, 42, and 44. Therefore, Applicants respectfully request the reconsideration and withdrawal of the rejection to Claim 23, 37, 42, and 44, all claims depending therefrom.

**Claims 45, 60, 65, 67, 68, 83, 88, 90, 91, 96, and 97**

The Office Action has rejected independent Claims 45, 60, 65, 67, 68, 83, 88, 90, 91, 96, and 97, for similar reasons to those presented in the rejection of independent Claims 23, 37, 42, and 44. *See* Office Action, p. 10-12. Applicants respectfully submit independent Claims 45, 60, 65, 67, 68, 83, 88, 90, 91, 96, and 97 have been amended to include, at least in part, limitations that are similar to those presented as part of amended Claims 23, 37, 42, and 44. For the reasons stated above for the allowability of Claims 23, 37, 42, and 44, Applicants respectfully request the reconsideration and withdrawal of the rejection to Claim 45, 0, 65, 67, 68, 83, 88, 90, 91, 96, and 97, all claims depending therefrom.

**CONCLUSION**

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5094.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicants hereby petition for such extensions. Applicants also hereby authorize that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to Deposit Account 502306.

Respectfully submitted,

/ Ana G. Luther /

Ana G. Luther  
Attorney for Applicants  
Reg. No. 61,704  
Telephone: (512) 439-5094  
Facsimile: (512) 439-5099